

REMARKS

This is in response to the Office Action dated March 8, 2005. Applicants would like to thank the Examiner for the indicated allowability of the subject matter recited in claims 2-4, 13, 15 and 18-22 and respectfully request reconsideration of all remaining claims in view of the above-amendments and the following remarks.

I. CLAIM REJECTION UNDER §102(e)

Claims 1, 5, 8-12, 14 and 16 were rejected under §102(e) as being anticipated by Chainer et al., U.S. Patent No. 6,603,627.

Claim 1 recites a method comprising (a) positioning a data surface adjacent a head mounted onto an actuator; and (b) determining a track range for the surface partly based on several lateral positions sensed while urging the actuator laterally against a stop.

Chainer et al. discloses the creation of an initial set of tracks in a self-servo writing system using a compliant crash stop to control head movement. Flow diagram 300 shows the basic steps of Chainer et al. As described in column 4, lines 8-52, the first step is to "force the arm hard against the crash stop using a large VCM dac value." "Then, a series of data tracks are written . . . with the VCM dac stepped by certain amounts between tracks." (Emphasis added). "Next, the spacing between tracks is checked by measuring the 'overlap' signal . . . for a pair of tracks when the read element is positioned such that it overlaps both tracks by approximately equal amounts." "This overlap signal decreases with increasing track spacing and therefore provides a measurement of relative track spacing. . ."

As described in column 4, lines 28-36, the overlap for each pair of tracks is compared to a desired target value. If all pairs match within a specified tolerance the process is complete. If not, adjustments are made to the dac steps to

improve the agreement of the next attempt, following track erasure. In this way, the difference between crash stop compliance from file to file can be automatically updated.

Thus, Chainer et al. is concerned with the self-servo writing of a servo pattern on a storage medium. Chainer et al. do not disclose a step of "determining a track range for the surface partly based on several lateral positions sensed while urging the actuator laterally against a stop," as recited in claim 1. Rather, Chainer et al. is writing servo patterns while the arm is forced against the crash stop. Thus, these self-servo written servo patterns, by definition, cannot reside outside of the track range.

Since Chainer et al. do not disclose each and every element of independent claim 1, Applicants respectfully request that the rejection of claim 1 and its dependent claims 8-9 under §102(e) based on Chainer et al. be withdrawn.

With respect to claim 10, this claim is amended to recite the step of urging an actuator against a stop while identifying each of several tracks at a common actuator position using a head supported by the actuator. Chainer et al. do not identify each of several tracks at a common actuator position. Therefore, Applicants respectfully request that the rejection of claim 10 and its dependent claims 11-12, 14 and 16 under §102(e) based on Chainer et al. be withdrawn.

## II. CLAIM REJECTIONS UNDER §103

Claims 6, 7 and 17 were rejected under §103(a) as being unpatentable over Chainer et al. in view of Settje et al., U.S. Publication No. 2005/0041321 A1.

Title 35 U.S.C. §103(c)(1) states that subject matter developed by another person which qualifies as prior art only under one or more of the subsections (e), (f) and (g) of §102 of this title, shall not preclude patentability under this section where the subject matter and claimed invention were, at the time

the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Since the Settje et al. publication qualifies as prior art only under §102(e) and both the present application and the Settje et al. application are both owned by Seagate Technology LLC, the Settje et al. Publication is not available as a reference for rejections under §103. Applicants therefore respectfully request that the rejection under §103 based on Settje et al. be withdrawn.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:



David D. Brush, Reg. No. 34,557  
Suite 1400 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

DDB:tkj